

✓ FILED ____ ENTERED
____ LOGGED ____ RECEIVED

1:47 pm, Jul 23 2025

AT GREENBELT
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY M.G. Deputy

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

MICHAEL WILLIAM SPITZE,

Defendant

CASE NO. 25-MJ-1841-1

GOVERNMENT'S MEMORANDUM IN ADVANCE OF DETENTION HEARING

Comes now, the United States of America, by and through undersigned counsel, and in support of a motion for the detention of the Defendant, Michael William Spitze (M. Spitze), submits the following memorandum in support of the defendant's detention pending his transfer to the Eastern District of Tennessee, where the defendant has been criminally charged.

On July 16, 2025, the defendant was indicted for two counts of attempting to tamper with a minor victim in the official proceeding involving the case of *United States v. Kyle William Spitze*, 3:24-CR-25 (E. D. Tenn.). On July 23, 2025, the defendant, M. Spitze was arrested on an out of district arrest warrant and is scheduled to appear before this Court for an initial appearance on the indictment. Were this Court to then consider whether to detain the defendant at this time, the Government offers this memorandum in support of his detention.

I. Legal Standard

Because M. Spitze is before this Court on an arrest warrant from another district's indictment, Federal Rule of Criminal Procedure 5(c)(3) applies. Rule 5(c)(3)(D) states that a magistrate judge must transfer a defendant to the district where the offense committed, in this case the Eastern District of Tennessee, if the United States produces the warrant and the magistrate judge determines that the defendant listed in the indictment is the same person arrested upon the

warrant.

Pursuant to 18 U.S.C. § 3142, M. Spitze is entitled to a detention hearing in this district. For a defendant who is pending trial, pursuant to 18 U.S.C. § 3142(f) this court “shall hold a hearing to determine whether any condition or combination of conditions . . . will reasonably assure the appearance of such person as required and the safety of any other person and the community.” A judicial officer shall hold a detention hearing upon motion of the Government’s attorney in cases that involve “[a]ny felony that is not otherwise a crime of violence that involves a minor victim.” 18 U.S.C. § 3142(f)(1)(E). A judicial officer shall also hold a detention hearing upon motion of the Government’s attorney in cases that involve “a serious risk that such person will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injury, or intimidate, a prospective witness.” 18 U.S.C. § 3142(f)(2)(A).

II. The 18 U.S.C. § 3142(g) Factors Support Detention Because M. Spitze is a Flight Risk and Poses a Danger to the Community

In determining whether to detain a defendant, this Court must consider a number of factors including: 1) “the nature and circumstances of the offense charged;” 2) “the weight of the evidence against the person;” 3) “whether, at the time of the current offense or arrest, the person was on probation, on parole, or on other release pending trial, sentencing, appeal, or completion of sentence for an offense under Federal, State, or local law;” and 4) “the nature and seriousness of the danger to any person or the community that would be posed by the person’s release.” 18 U.S.C. § 3142(g).

Based upon the strength of evidence against M. Spitze, his lack of ties to the Eastern District of Tennessee, that M. Spitze tampered with a minor victim using the internet and cellular phone, that the defendant made contact with other minors who were victimized by the defendant’s

son, at the behest of his son, M. Spitz poses a significant risk of flight and danger to the community if released and instructed to report to the Eastern District of Tennessee voluntarily.

a. The Nature and Circumstances of the Offenses Support Detention Under 18 U.S.C. § 3142(g)(1) and (g)(4)

i. Son's Case

On February 21, 2024, Kyle Spitz (K. Spitz), the son of the M. Spitz, was arrested in the Eastern District of Tennessee on a federal warrant and complaint for, among other things, production and distribution of child pornography, for which he was later indicted, pled guilty to, and for which he is awaiting sentencing. The charges stem from crimes committed in that District. The charges were associated with two minor victims, one of the victims also being the victim (MV) of M. Spitz. K. Spitz was detained on the date of his arrest and remains in custody. Sentencing in that case is scheduled for this September, and a summary of that case, as reflected in K. Spitz's signed plea agreement, is included below in Appendix A.

ii. Defendant's Efforts to Contact Son's Minor Victim "MV"

Prior to K. Spitz being detained, he was in a mental health facility beginning on February 16, 2024. M. Spitz first communicated with MV on K. Spitz's behalf on that day; sending a message to MV (who was sixteen at the time) stating, "Is this [MV]? Kyle's friend?" to which MV replied, "this is [MV] yes," and M. Spitz replied, "Okay Kyle is doing okay. He just wanted me to let you know."

Text messages recovered from MV's phone show that M. Spitz sent money to MV via CashApp on multiple occasions. M. Spitz sent text messages to MV trying to get her to set up a profile on a website used to communicate with inmates called GettingOut.com so she could talk to K. Spitz.

K. Spitz called M. Spitz from jail asking for MV's email address, which M. Spitz provided. K. Spitz was able to reach MV by phone, calling her approximately 51 times. MV told K. Spitz she had been talking to M. Spitz a lot, to which K. Spitz replied, "I know. He's been helping you out."

M. Spitz asked MV in a text if she wanted K. Spitz's food stamp card and asked for MV's address. M. Spitz asked MV in a text for "clean images less than 5mb" of herself to send to K. Spitz, which she sent.

iii. Defendant's Efforts to Obstruct Son's Case Using "MV"

M. Spitz continued to contact MV. On March 2, 2024, M. Spitz sent MV \$15 and MV said she would put it on her jail communications account to speak to K. Spitz. However, when MV tried to deposit the money on her account the system could not complete the transaction. MV sent a screenshot of the failed transaction to M. Spitz who told MV, "I'm pretty sure they are limiting and monitoring all his communication." When MV asked why they would do that, M. Spitz told her, "bc they can. They don't want anybody helping him to delete any online content that may questionable. My guess."

M. Spitz then sent a message to MV that said, "Please delete anything you think might not help him. And encourage anyone else to delete in his behalf." MV said she was not in anything online and didn't know anyone online. M. Spitz then said, "Well if there's any back tracking you can do to erase any ? Content that would be helpful."

M. Spitz sent a message later asking MV why she cut K. Spitz's name on herself. MV sent the following response to M. Spitz:

micahel im only 16 years old kyle has been grooming and extorting me for months now, i wasnt lying about being kicked out and sexually assaulted im actually kicked out of my house and have been struggling really bad but micahel kyle isnt a good person at all ive watched him first hand groom and extort other girls he claims he isnt a pedophile and that hes something called a hebephile is what he said he is, when melanie tragically passed away.. he said he had killed her and posted photos of her all over the internet, everything everyones been saying is completely true im sorry i didnt tell you sooner i was so afraid of kyle but the authorities contacted me today i didnt give any information to them at all. I

M. Spitze replied, “Oh Jesus so you lied about your age and guys think your older.” MV said, “no. kyle knows my age.” M. Spitze sent a message to MV saying “I shouldn’t even be taking [sic] with you,” and “be careful who you say anything to.”

Between March 4 and March 12, 2024, M. Spitze continued to message with MV and send MV money. On March 8, 2024, M. Spitze told MV, “Just don’t tell anyone where you’re getting \$\$ from please,” “Would [sic] look right to many folks.”

MV told M. Spitze by text that the FBI reached out about Kyle, and that she told them she did not “really know anything about it.” M. Spitze asked her to call him, but MV said she could not call. MV sent another message saying, “i mean you were helping me and stuff so i just decided to not really say anything.” M. Spitze then said, “Well, I do appreciate you not saying anything” and asked MV how she was doing for money. MV replied, “not good at all but working on it,” and M. Spitze said, “Ok I got u,” “Use that wisely,” “Get yourself something you want,” “Needs first.” Later that same evening, M. Spitze told MV, “Just don’t tell anybody that I’m giving you money.

M. Spitze asked MV to send another selfie so he could send it to Kyle. MV then tried to break off contact with Kyle. M. Spitze replied, “Ok that’s probably a good idea and really I

1 Melanie is K. Spitzes mother.

shouldn't be talking to you either". "I just don't want to put myself or you in a bad spot as a result but idk... you need to get a new phone number bc [sic] you're mom can give them permission to monitor your communications".

iv. Defendant's Other Efforts to Contact Son's Victims and Obstruct Case

Through continued monitoring of the K. Spitze and M. Spitze's communication it was learned that M. Spitze has reached out to other minor victims of K. Spitze. M. Spitze also made threats to others he believes is responsible for K. Spitze's prosecution.²

Specifically, M. Spitze facilitated communication between K. Spitze and another of his minor victims in the United Kingdom. M. Spitze coached the British minor victim on how to download a virtual private network to bypass constraints on the app used to communicate with inmates. As a result, the British minor victim was able to communicate directly with K. Spitze. The British minor victim died by suicide in November 2024. Further, K. Spitze asked M. Spitze to provide him with a telephone number belonging to a third minor victim in Greece. M. Spitze sent a photo of the Greek minor's telephone number to K. Spitze, however the picture was blocked by the communication app.

Beginning just days after K. Spitze was arrested, M. Spitze told K. Spitze one individual was responsible for the investigation into him, saying on a jail call on February 28, 2024, "that little bitch is behind all of it, I guarantee it." M. Spitze continued to blame the individual in communications to K. Spitze, saying "she was going to ruin you", called her a "fucking stupid kunt", and said he wished she'd committed suicide so K. Spitze "wouldn't be in this mess". M.

² Because of actual threats that have been carried out on K. Spitze's victims, identities and locations of victims will not be provided for fear of retaliation.

Spitze then purports to be in the same city as the individual by texting a picture of a television with the individual's local news playing, and suggests that he knows where the individual's parents are.

On December 17, 2024, K. Spitze called M. Spitze at telephone number 301-XXX-9316. This was approximately the 17th time M. Spitze had been contacted at this telephone number by K. Spitze. On December 19, 2024, M. Spitze used the 9316 number to threaten the individual he believed to be responsible for the investigation into K. Spitze. On December 24, 2024, K. Spitze tried to contact M. Spitze "on the 301 number" but it did not work. On December 28, 2024, M. Spitze told K. Spitze "the 301 number is burned", said he would have to make a new number, and then sent K. Spitze a different 301 area code number to call.

Notably, M. Spitze continues to discuss this individual with K. Spitze as recently as July 16 and 18 of this year, during which M. Spitze attempted to access the individual's Instagram to share her photos with K. Spitze.

v. Defendant's Threats Against Son's Cell Mate

M. Spitze's threats were not limited to just those he believed were responsible for his son's investigation. In June 2024, M. Spitze sent the following message to K. Spitze's cellmate after being told the cellmate allegedly stole K. Spitze's commissary fund: "You're a piece of shit Kleb, I hope someone beats your ass and slams your head in the wall. What a fucking piece of shit you are motherfucker. Gonna make your life miserable You fucked with the wrong People you little bitch". M. Spitze then sent a message to a friend of K. Spitze's in jail, told him what allegedly happened to K. Spitze's commissary, and told the friend "need you all to make sure his ass pays for it".

M. Spitz's jail communication account was suspended after these threats were made. M. Spitz then began using the persona of his late wife, Melanie Spitz, to continue communicating with his son and other inmates.

b. The Weight of the Evidence Supports Detention Under 18 U.S.C. § 3142(g)(2)

The weight of the evidence against M. Spitz is strong and supports detention. All records of communication from M. Spitz and K. Spitz, and communication between M. Spitz and the MV have been obtained by consensual monitoring of jail communications, results of a consent search, and received by the FBI. The communication supports and proves the charges against the defendant.

c. M. Spitz's History and Characteristics Supports Detention Under 18 U.S.C. § 3142(g)(3)

The history and characteristics support the detention of M. Spitz so that it can be assured that he will appear in the EDTN to address his attempted tampering with a victim charges.

First, the defendant has no respect for the law or the sanctity of protecting our communities' children. Records show he has contacted multiple minor victims at the behest of his son who has admitted to heinous crimes against said minor victims.

Second, the defendant violates the law by using illegal substances. Since K. Spitz has been incarcerated, M. Spitz has been observed on jails videos calls driving while drinking alcohol. On another call M. Spitz tells K. Spitz, he was "huffing" nitrous oxide through a medical oxygen mask and showed K. Spitz the can of nitrous oxide meant for culinary use. During a trip to Knoxville in April 2024, M. Spitz had K. Spitz's drug dealer obtain "sticks" and "bud" for him. K. Spitz's dealer told him on a jail call that M. Spitz had gotten sick after taking "a quarter stick" and drinking a Twisted Tea, and that he had to be hospitalized.

Third, the defendant is attempting to acquire guns and disregards gun laws. During a video call on August 2, 2024, M. Spitze proudly holds up a Glock 43X handgun that made himself using a combination of metal parts he purchased, and 3D printed polymer parts. M. Spitze tells K. Spitze that all he had left to do is serialize the weapon with the state of Maryland within 30 days. As of July 21, 2025, the weapon was not serialized. On a jail message to K. Spitze in June 2025, M. Spitze brags about 3D printing a PS-90³ rifle, and complains that he may have to travel to Virginia to obtain a 50-round magazine even though he will only load it with 10 rounds to be in compliance with Maryland law. Law enforcement also found parts to a PS-90, specifically the frame, in the basement of M. Spitze's house. It is a federal crime under 18 U.S.C. § 922(g)(3) to possess a firearm when unlawfully using or addicted to a controlled substance.

Fourth, M. Spitze has no ties to the Eastern District of Tennessee. M. Spitzes ties are in Maryland, and he is unlikely to voluntarily leave this community, travel to Tennessee, stay in Tennessee, and face the aforementioned charges.

d. The Nature and Seriousness of the Danger to the Community Under 18 U.S.C. § 3142(g)(4)

M. Spitze poses a serious danger to the community. The defendant has re-victimized a troubled child whom his son ordered under threat to cut herself with razors, write his moniker in blood on her body and pose nude on his command to be put on the internet for all to see. M. Spitze continued to victimize by manipulation the MV even after she told him her age, what his son had done to her and how terrified she was on his son.

M. Spitze contacted or attempted to contact other victims of K. Spitze at his request across the globe. M. Spitze facilitated communication between K. Spitze and another of his minor victims

³ A PS-90 is a shoulder fired, compact, personal defense weapon, typically chambered in 5.7 mm.

in the United Kingdom. M. Spitze coached the British minor victim on how to download a virtual private network to bypass constraints on the app used to communicate with inmates. As a result, the British minor victim was able to communicate directly with K. Spitze. The British minor victim died by suicide in November 2024. Further, K. Spitze asked M. Spitze to provide him with a telephone number belonging to a third minor victim in Greece. M. Spitze sent a photo of the Greek minor's telephone number to K. Spitze, however the picture was blocked by the communication app.

Even after K. Spitze had pled guilty, M. Spitze continued to terrorize a person he believed was the cause his son being investigated and prosecuted for his crimes. M. Spitze sent threatening texts to the individual and their significant other. One such text read: "I am going to ruin you like you did my son. I don't care about the ramifications. You will pay dearly for your actions and unscrupulous behavior." As noted previously, M. Spitze purports to be in their same city by texting a picture of a television with the individual's local news playing, and suggests to that individual that he knows where their parents are. And M. Spitze continues to discuss this individual with K. Spitze as recently as July 16 and 18 of this year.

In short, M. Spitze has continues to terrorize or manipulate his son's victims and anyone he believes is at fault for his son being in jail, he has been caught on video committing crimes himself, and he has no ties to the Eastern District of Tennessee. No conditions or combination of conditions will alleviate M. Spitze's risk of flight and risk to the community absent his continued detention.

III. Conclusion

For the reasons set forth above, the government respectfully submits that no condition or

combination of conditions will assure the appearance of the M. Spitze in the Eastern District of Tennessee nor alleviate the risk he poses to the minor victim MV or the other victims of his son K. Spitze. Therefore, M. Spitze should remain detained and be transported promptly to Eastern District of Tennessee to address his case in that District.

Respectfully submitted,

Kelly O. Hayes
United States Attorney

By: _____/s/_____
Joshua Rosenthal
Assistant United States Attorney

Appendix A – Kyle Spitze Conduct

Defendant is a member of the “764” and the HarmNation (HN) groups. HN is an off shoot of “764.” The members of said groups conspire to engage in criminal activity in violation of federal laws that involve the use or threat of violence to intimidate or coerce a civilian population.

In December of 2023, Discord sent the Federal Bureau of Investigation (FBI) a report on HN as it pertained to the use of Discord by the HN members and its victims. The username “CRIMINALOLI”, now known to be the defendant, was one of the most prolific HN members on Discord. Further, the investigation showed the defendant was an administrator of a Telegram “Channel” called “Criminal content”. The defendant’s Telegram username was “crimhn” with the display name “Criminal”. Law enforcement obtained a video the defendant uploaded on his channel, “Criminal content” which included post-pubescent minor girls exposing their bare breasts and vaginas with various variations of the defendant’s moniker written in blood or carved on their bodies; dozens of images of “criminal” or “crim” carved into the legs, arms, chests, and/or face of different victims, the majority of whom appear to be young, early teenage to late teenage girls; an image of a [sic] underage minor inserting what appears to be a large pen or marker into her vagina; images of a mutilated chicken in a bathtub with the intestines spelling out “CRIM” next to the decapitated chicken.

On February 10, 2024, a search warrant was obtained and executed for the defendant’s cell phone in the Eastern District of Tennessee. The defendant’s phone contained of [sic] images and videos exactly like those he had uploaded to his “Criminal content” Telegram channel. Specifically, defendant knowingly possessed material that contained CP images as defined in Title 18, United States Code, Section 2256(8) of nude young teenage girls posing with their vaginas exposed often times with bloodwritten messages across their breasts and stomachs. Defendant also has [sic] images/videos of domesticated animals such as dogs, rabbits and chickens being decapitated by his victims.

The defendant’s phone has approximately 25 photo albums titled with nicknames or first names. One album is labeled with the name of Minor Victim (“MV”) 1. In MV1’s album are multiple images and videos of CP of MV1 and videos of MV1 mutilating chickens. Several of the images/videos were posted on the video located on the “Criminal Content” channel. MV1 was twelve at the time she had contact with the defendant and believed she was his girlfriend. In the MV1 album is an image of MV1’s bare vagina being spread apart with her fingers. The forensic analysis of defendant’s iPhone indicates the image was created on or about July 22, 2023. The production of the MV1 CP was based on the defendant inducing MV1 to take the sexually explicit image and send it to him knowing the image was going to be sent via the internet to his cell phone located in the Eastern District of Tennessee, where he saved the image in the MV1 folder with other images and videos he induced MV1 to produce and send to him. Another image found in the MV1 folder was of a decapitated chicken with a knife and its entrails lying next to the body. The entrails spell out the defendant’s moniker “crim”. The forensic examination of his iPhone proved the image was distributed to the defendant through the internet on or about July 25, 2023, in the Eastern District of Tennessee. MV1 admitted the defendant abetted her into producing the obscene

images/videos along with other similar type photos of her decapitating chickens, cutting his moniker and/or name into her body and distributing the images/videos to him. If MV1 was at all hesitant, the defendant threatened her and her parents with “doxing” or “swatting”. Texts [sic] messages between MV1 and the defendant located on the defendant’s iPhone corroborated MV1. The defendant specifically requested MV1 kill either a chicken or a lamb.